



CERTIFICATE OF MAILING (37 CFR 1.8(A))

PATENT

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Date: 3 July 2002

Laura J. Kelly

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLN NUMBER 09/928,024	FILING DATE 10 AUG 2001	FIRST NAMED INVENTOR ELDERING	ATTY. DKT. NO. T741-10
TITLE TARGETING ADS TO SUBSCRIBERS BASED ON PRIVACY-PROTECTED SUBSCRIBER PROFILES		ART UNIT 2151	EXAMINER UNKNOWN

Technology Center: 2100
Attention: Special Program Examiner
Assistant Commissioner for Patents
Washington, D.C. 20231

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PETITION TO MAKE SPECIAL

PURSUANT TO 37 CFR §1.102(d) and MPEP §708.02 item VIII

Applicant hereby petitions the United States Patent and Trademark Office ("USPTO") to grant the above noted non-provisional application having application serial number 09/928,024, filed on August 10, 2001 special status and accordingly accelerate the processing of the application.

Applicant respectfully submits that this petition should be granted by the USPTO because the Applicant has met all of the criteria defined in MPEP §708.02 item VIII and recited below.

- A. An authorization to charge the Expanse Networks deposit account, in the amount of the fee set forth by 37 C.F.R. §1.17(i) is attached herewith (see Fee Calculation Sheet).
- B. Applicant submits that the claims presented in this application are directed to a single invention. In the event that the Examiner considers that the claims are not obviously directed to a single invention, the Applicant acknowledges that they will make an election without traverse.

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- C. The USPTO, as ISA for the corresponding PCT application (PCT/US01/25261), performed a search, the results of which can be found in the International Search report (ISR) received from the USPTO/ISA (a copy is enclosed for the convenience of the Examiner).
1. The USPTO/ISA classified the subject matter of the application as International Patent Classification (IPC) G06F 17/60, and US Classification 705/14;
 2. The USPTO/ISA performed a search of US Classification 705/14;
 3. The USPTO/ISA performed a search using the following search terms: variations of "advertisements", "profiling", "correlations", "rules", "heuristics", "television", "targeting", "subscribers" and "groups".
- D. Each relevant reference is identified on the attached IDS and one copy of each reference is enclosed thereto.

Discussion

Below is a detailed description of each of the references and discussion of how the claimed subject matter (each independent claim) is patentable over the references:

AA U.S. 5,515,270

Relevance:

Discloses a system that monitors the ads that a user encounters (TV, radio, print) and tracks the purchases made by the consumer to determine the applicability of the ad in the purchase.

Claim 1:

Specific claim elements not disclosed include at a minimum: receiving ad profiles, generating subscriber profiles based on at least a subset of the gathered subscriber data, correlating the ad profiles with the subscriber profiles, or selecting targeted ads.

Claim 53:

Specific claim elements not disclosed include at a minimum: monitoring subscriber interactions with a TV, aggregating the monitored subscriber interactions to generate viewing characteristics, predicting subscriber traits, creating subscriber profiles, receiving ad profiles, correlating the ad profiles and the subscriber profiles, identifying the subscribers meeting the correlation threshold, or targeting the associated advertisements to the target groups.

Claim 61:

Specific claim elements not disclosed include at a minimum: receiving demographic information for subscribers, associating demographic information with particular nodes, creating a demographic profile of the nodes, and grouping the nodes.

Claim 67:

Specific claim elements not disclosed include at a minimum: a secure profiling server and a secure correlation server.

Claim 75:

Specific claim elements not disclosed include at a minimum: an interface to a TV; a profile processor that is capable of monitoring interactions with the TV, aggregating the interactions to generate viewing characteristics, and creating a subscriber profile; and a correlation processor capable of correlating ad profiles with the subscriber profiles and selecting an appropriate ad.

Remarks:

Does not really disclose targeting advertising and specifically does not disclose targeted advertising in the TV environment. Does not disclose monitoring TV interactions, generation of subscriber profiles, generation of node profiles, grouping of nodes, receiving ad profiles or correlating subscriber and ad profiles.

Relevance:

Discloses delivering targeted ads to users through their browser while they view content on the Internet. The ads are targeted based on information that can be ascertained about the user through the use of cookies, IP addresses, and computer configuration.

Claim 1:

Specific claim elements not disclosed include at a minimum: generating subscriber profiles based on at least a subset of the gathered subscriber data.

Claim 53:

Specific claim elements not disclosed include at a minimum: monitoring subscriber interactions with a TV, aggregating the monitored subscriber interactions to generate viewing characteristics, predicting subscriber traits, and creating subscriber profiles.

Claim 61:

Specific claim elements not disclosed include at a minimum: receiving demographic information for subscribers, associating demographic information with particular nodes, creating a demographic profile of the nodes, and grouping the nodes.

Claim 67:

Specific claim elements not disclosed include at a minimum: a secure profiling server.

Claim 75:

Specific claim elements not disclosed include at a minimum: a profile processor that is capable of monitoring interactions with the TV, aggregating the interactions to generate viewing characteristics, and creating a subscriber profile.

Remarks:

Does not disclose the granularity of targeting advertising that is in application. Focuses on the Internet and does not disclose targeted advertising in the TV environment at all. Does not disclose monitoring TV interactions, generation of subscriber profiles, generation of node profiles or grouping of nodes.

Relevance:

Discloses a system that gathers data about consumers, including demographic data, in order to cluster the consumers into groups, also gathers data about products and clusters the products into groups. Clustering the consumers and products allows the store to determine how to keep loyal customers and what marketing campaigns work.

Claim 1:

Specific claim elements not disclosed include at a minimum: receiving ad profiles, generating subscriber profiles based on at least a subset of the gathered subscriber data, correlating the ad profiles with the subscriber profiles, or selecting targeted ads.

Claim 53:

Specific claim elements not disclosed include at a minimum: monitoring subscriber interactions with a TV, aggregating the monitored subscriber interactions to generate viewing characteristics, predicting subscriber traits, creating subscriber profiles, receiving ad profiles, correlating the ad profiles and the subscriber profiles, identifying the subscribers meeting the correlation threshold, or targeting the associated advertisements to the target groups.

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correlation processor capable of correlating ad profiles with the subscriber profiles and selecting an appropriate ad.

Remarks:

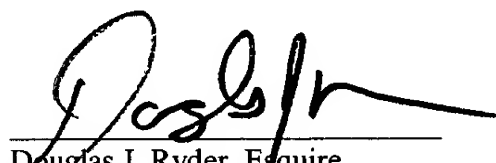
Does not really disclose targeting advertising and specifically does not disclose targeted advertising in the TV environment at all. Does not disclose monitoring TV interactions, generation of subscriber profiles, generation of node profiles, grouping of nodes, receiving ad profiles or correlating subscriber and ad profiles.

Comments:

For the foregoing reasons, Applicant respectfully submits that the petition be granted and that the above noted application receive accelerated processing.

If the Special Processing Examiner believes that a conference would be of value in expediting the processing of this Petition, the Special Processing Examiner is hereby invited to contact the undersigned attorney to set up such a conference.

Respectfully submitted,



Douglas J. Ryder, Esquire
Reg. No. 43,073

Date: 7/3/02

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